

Docket No.: 22148-00004-US2  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Adrian F. Ionescu

Confirmation No.: 8973

Application No.: 10/595,415

Art Unit: 2821

Filed: April 17, 2006

Examiner: D. K. Wong

For: BALLAST PROTECTING DEVICE

---

**PETITION PURSUANT TO 37 C.F.R. § 1.47(b) AND/OR 37 C.F.R. § 1.42**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This petition is pursuant to 37 C.F.R. § 1.47(b) and/or 37 C.F.R. § 1.42 for an assignee to make an application for patent on behalf of and as an agent for an inventor who has assigned or agreed in writing to assign the invention to an assignee and subsequently died. Filing under 37 C.F.R. § 1.47(b) and 35 U.S.C. § 118 is permitted when no inventor is available to make an application and 37 C.F.R. § 1.42 is available in case of death of the inventor. Prior to the inventor's death, he assigned his interest in the invention to Power Control Technologies, Inc. and also executed a power of attorney for his invention to Louis F. Lindauer, president of Power Control Technologies, Inc.

**Pertinent Facts**

Adrian F. Ionescu is the sole inventor of Application Serial No. 10/595,415, entitled, "Ballast Protecting Device." He executed a Power of Attorney on June 1, 2002 appointing Louis F. Lindauer, president of Power Control Technologies, Inc., as his representative in any and all patenting procedures. A copy of the Power of Attorney is enclosed. Application Serial No. 10/595,415 claims priority from Provisional Application No. 60/481,520 ("the Provisional Application"). The Provisional Application was filed in the United States Patent and Trademark Office ("USPTO") on October 17, 2003. Shortly after filing the Provisional Application, on November 28, 2003, the sole inventor, Adrian F. Ionescu, assigned his entire right, title, and interest in the Provisional Application and to any and all direct and indirect divisions, continuations and continuations-in-part of the application, and any and all Letters Patents in the United States and all foreign countries which may be granted therefore and thereon to Power Control Technologies, Inc. A copy of the executed assignment is enclosed. The Assignment was recorded with the USPTO on December 9, 2003 on Reel 014184, Frame 0399. A copy of the USPTO Notice of Recordation of Assignment is enclosed as well as a Statement Under 37 C.F.R. §1 3.73(b).

International Application No. PCT/US2004/039239 ("the International Application") was filed on October 18, 2004 and claims priority from the Provisional Application. The International Application entered the United States under 35 U.S.C. § 371 on October 17, 2006, and was assigned Application Serial No. 10/595,415.

The sole inventor, Adrian F. Ionescu, died on March 22, 2007. A copy of the death certificate is enclosed.

The USPTO mailed a Notification of Missing Requirements Under 35 U.S.C. § 371 on February 1, 2008, requiring an oath or declaration of the inventor in Application Serial No. 10/595,415.

Application Serial No. 10/595,415 went abandoned on September 1, 2008.

A Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) is being filed concurrently with this Petition Pursuant to 37 C.F.R. § 1.47(b).

**Oath or Declaration Required by 37 C.F.R. §§ 1.63 and 1.64 or 1.175**

A declaration signed by Louis F. Lindauer, president of Power Control Technologies, Inc., is enclosed with this petition.

**37 C.F.R. § 1.47(b) Applicant's Relationship to the Inventor**

Adrian F. Ionescu assigned his entire right, title, and interest in his invention to Power Control Technologies, Inc. Louis F. Lindauer is president of Power Control Technologies, Inc. Also, before his death, Adrian F. Ionescu executed a power of Attorney on June 1, 2002, appointing Louis F. Lindauer as his representative in any and all patenting procedures.

**Action is Necessary to Preserve Rights**

A Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) requires a proper reply to the Notification of Missing Requirements Under 35 U.S.C. § 371, *i.e.*, requires that an oath or declaration be provided in Application Serial No. 10/595,415 . Granting of this Petition Pursuant to 37 C.F.R. § 1.47(b) is necessary for applicant, Power Control Technologies, Inc., to preserve its rights and prevent irreparable damage to the applicant.

**Last Address of the Inventor**

Adrian F. Ionescu  
60 Alexandru Vaida Voevod Street  
Apt. 19  
Cluj-Napoca 3400  
ROMANIA

**Fee set forth in 37 C.F.R. § 1.17(g)**

A \$200.00 fee is being submitted with this petition in accordance with 37 C.F.R. § 1.17(g). Applicants believe no additional fees are due at this time. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 22148-00004-US2 from which the undersigned is authorized to draw.

Dated: 11-21-2008

Respectfully submitted,

By 

Burton A. Amernick

Registration No.: 24,852

R. James Balls

Registration No.: 57,703

CONNOLLY BOVE LODGE & HUTZ LLP

1875 Eye Street, NW

Suite 1100

Washington, DC 20006

(202) 331-7111

(202) 293-6229 (Fax)

Attorneys for Applicant

# POWER OF ATTORNEY

I, Adrian Florentin Ionescu, of 60 Alexandru Voevod (Apartment 19), 3400 city of Cluj-Napoca, Romania, an Officer, Director and Stockholder of Power Control Technologies, Inc. a State of Delaware USA Corporation, herewith appoint Louis Frederick Lindauer of 42 Butternut Court Wilmington, Delaware 19810 USA, as my attorney in fact, to act in my place and stead and with the same authority as I would have, to do the following acts:

1. To represent the undersigned in any and all business decisions and acts of the above mentioned Corporation, or any succeeding corporation if such there will be.
2. To represent the undersigned in any and all patenting procedures on the behalf of the undersigned and to the benefit of the above mentioned Corporation, or any succeeding corporation if such there will be.

This power of attorney shall be in effect from June 1, 2002 to June 30, 2006 and shall not be revoked due to my incapacity, and will continue in effect should I ever become incapacitated.

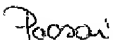
Signature



Adrian Florentin Ionescu, known to me personally, appeared before me and acknowledged the execution of this Power of Attorney for the purposes set forth therein.

Emoke Blanka Pocasi of Romania, city of Cluj-Napoca, 3 Gheorghe Dima St.

Signature:



Dated: June 1, 2002.

ROUMANIE ROMÂNIA ROMANIA  
**CERTIFICAT DE DECES**  
 CERTIFICAT DE DÉCÈS / DEATH CERTIFICATE

Seria DP Nr. 772924  
 Série/Series No./Nmb.

**DATE PRIVIND DECEDATUL**

Dates concernant le décédé/  
 Data concerning the deceased

Cod Numeric Personal 1 5 5 0 8 0 5 1 2 0 7 4 4  
 Code personnel/Personal number S A A L L Z Z N N N N C

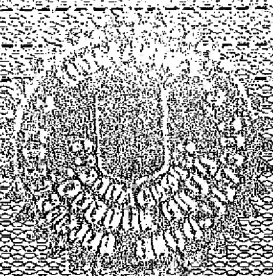
Numele de familie Nom/Surname		IONESCU			
Prenumele Prénom/First name		ADRIAN-FLORENTIN			
Sexul Sexe/Sex	barbatesc	Data nașterii Date de naissance/Date of birth	Anul/ Année/Year	Luna/ Mois/Month	Ziua / Jour/Day
		1955	03	05	
Locul nașterii Lieu de naissance/ Place of birth		Localitatea /Localité/Place		Județul /Département/County	
		CLUJ		CLUJ	
Domiciliul Adresse/Address		Localitatea /Localité/Place		Județul /Département/County	
		CLUJ-NAPOCA, Str. Al. V. Voievod, nr. 60/19		CLUJ	
Data decesului Date du décès/Date of decease		Locul decesului Lieu du décès/Place of death			
		Localitatea /Localité/Place		Județul /Département/County	
A / A/Y	L / M/M	Z / J/D			
2007	03	22	CLUJ-NAPOCA		CLUJ

**DATE PRIVIND PĂRINȚII / Dates concernant les parents / Data concerning the parents**

TATĂL Père/Father	Numele de familie Nom/Surname	IONESCU
	Prenumele Prénom/First name	MIRCEA
MAMA Mère/Mother	Numele de familie Nom/Surname	IONESCU
	Prenumele Prénom/First name	EMILIA

Act de deces nr. 910 din 22.03.2007  
 Acte de décès no./ de / from (ziua, luna, anul / jour, mois, année / day, month, year)  
 Demise document nmb. CLUJ-NAPOCA CLUJ  
 înregistrat la (Localitatea/Ambasada/Consulatul) (Județul /Département/County)  
 enregistré à (Localité/Ambassade/Consulat / Place/Embassy/Consulate)

Mențiuni  
 Mentions/Mentions

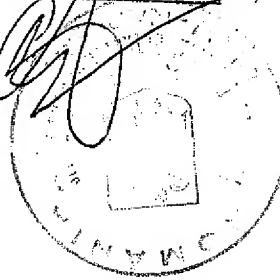


Semnătura  
 Signature/Signature

*[Handwritten signature]*

Eliberat/CONSILIUL LOCAL AL MUNICIPIULUI CLUJ-NAPOCA Data 2007-03-22  
 Délivré par/Issued by (Signature) Date/Data A A A A A L L Z Z

ROMANIA  
BIROUL NOTARULUI PUBLIC Feurdean Cristian Octavian  
Cluj-Napoca, Str. Tipografiei nr. 13, ap. 5  
INCHIEIERE DE LEGALIZARE COPIE Nr. 3810  
Anul ..... luna ..... ziua 08 MAY 2007  
Feurdean Cristian Octavian notar public, legalizez aceasta copie conforma  
cu inregistrul prezentat noua conf. decr. care are  
..... pagini, cotatlonat de secretariu  
S-a perceput onorariul de 57191 lei cu BF nr. 13  
pentru ..... exemplare  
Calatimesti  
Secretar  
Notar public  
Feurdean Cristian Octavian



0004

# ASSIGNMENT BY INVENTOR

THIS ASSIGNMENT, made this 28 day of November, 2003 by  
Adrian F. Ionescu (hereinafter referred to as Assignor), residing at 60 Alexandru Vaida Voevod  
Street, Apt. 19, Cluj-Napoca 3400, ROMANIA;

WHEREAS, Assignor has invented certain new and useful improvements in  
BALLAST PROTECTING DEVICE, set forth in a Provisional application for Letters Patent of  
the United States, already filed on October 17, 2003 as U.S. Application No. 60/481,520; and

WHEREAS, POWER CONTROL TECHNOLOGIES, INC., a Corporation  
organized under and pursuant to the laws of Delaware having its principal place of business at  
42 Butternut Court, Wilmington, Delaware 19810 (hereinafter referred to as Assignee), is  
desirous of acquiring the entire right, title and interest in and to said inventions and said  
Application for Letters Patent of the United States, and in and to any Letters Patent of the  
United States to be obtained therefore and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and  
sufficient consideration, the receipt of which is hereby acknowledged, Assignor has sold,  
assigned, transferred and set over, and by these presents does sell, assign, transfer and set over,  
unto Assignee, its successors, legal representatives and assigns, the entire right, title and  
interest in and to the above-mentioned inventions and application for Letters Patent, and in and  
to any and all direct and indirect divisions, continuations and continuations-in-part of said  
application, and any and all Letters Patent in the United States and all foreign countries which  
may be granted therefore and thereon, and reissues, reexaminations and extensions of said  
Letters Patent, and all rights under the International Convention for the Protection of Industrial  
Property, the same to be held and enjoyed by Assignee, for its own use and benefit and the use  
and benefit of its successors, legal representatives and assigns, to the full end of the term or  
terms for which Letters Patent may be granted and/or extended, as fully and entirely as the  
same would have been held and enjoyed by Assignor, had this sale and assignment not been  
made.

AND for the same consideration, Assignor hereby represents and warrants to  
Assignee, its successors, legal representatives and assigns, that, at the time of execution and



delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignor is the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, Assignor hereby covenants and agrees to and with Assignee, its successors, legal representatives and assigns, that Assignor will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, without charge to Assignee, its successors, legal representatives and assigns, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Provisional application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

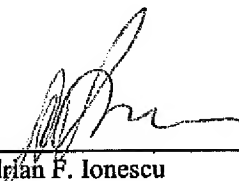
AND Assignor hereby requests the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.

AND Assignor hereby grants the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document:

CONNOLLY BOVE LODGE & HUTZ LLP

All practitioners at Customer Number 30678;

AND Assignor acknowledges an obligation of assignment of this invention to Assignee at the time the invention was made.

28-Nov-2003   
Adrian F. Ionescu

**Witness:**

Nov. 28. 2003 Pocsai  
Date POCsAI EMOKE-BLANKA



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*700055953A\*

DECEMBER 10, 2003

PTAS

CONNOLLY BOVE LODGE ET AL.  
LARRY J. HUME  
1990 M STREET, N.W., SUITE 800  
WASHINGTON, DC 20036-3425

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/09/2003

REEL/FRAME: 014184/0399  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

IONESCU, ADRIAN F.

DOC DATE: 11/28/2003

ASSIGNEE:

POWER CONTROL TECHNOLOGIES, INC.  
42 BUTTERMUT COURT  
WILMINGTON, DELAWARE 19810

SERIAL NUMBER: 60481520  
PATENT NUMBER:

FILING DATE: 10/17/2003  
ISSUE DATE:

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

12/09/2003  
700055953

Form PTO-1595 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)		RECORDATION FORM COVER SHEET PATENTS ONLY		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks; Please record the attached original documents or copy thereof					
1. Name of conveying party(ies): Adrian F. Ionescu		2. Name and address of receiving party(ies) Name: POWER CONTROL TECHNOLOGIES, INC. Internal Address: Street Address: 42 Butternut Court City: Wilmington State: DE Zip: 19810 Additional name(s) & address(es) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other					
Execution Date: November 28, 2003					
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the new application is: A. Patent Application No.(s): 60/481,520 B. Patent No.(s): Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Larry J. Hume CONNOLLY BOVE LODGE & HUTZ LLP Internal Address: Atty. Dkt.: 22148-00004-US Street Address: 1890 M Street, N.W., Suite 800 City: Washington State: DC Zip: 20036-3425		6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41) \$ 40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Authorized to be charged to credit card (Form 2038 enclosed) 8. Deposit account number: 22-0185 (Attach duplicate copy of this page if paying by deposit account)			
DO NOT USE THIS SPACE					
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Larry J. Hume - 44,183 Name of Person Signing Signature: <i>Larry J. Hume</i> Date: December 9, 2003 Total number of pages including cover sheet, attachments, and documents: 4					
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 308-5995, on the date shown below. Dated: 12-9-2003 Signature: <i>Joy G. Pickett</i> (Joy G. Pickett)					